

By: Gervin-Hawkins, Bernal, Allison

H.B. No. 496

Substitute the following for H.B. No. 496:

By: Bernal

C.S.H.B. No. 496

A BILL TO BE ENTITLED

AN ACT

relating to the placement of bleeding control stations in public schools and to required training of public school personnel and students.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.029 to read as follows:

Sec. 38.029. BLEEDING CONTROL STATION PROGRAM. (a) In this section, "emergency alerting device" means a device designed to send, once a case containing the device is opened, an emergency alert that provides continuous information about the location of the device to preprogrammed recipients, including a 9-1-1 call center, school resource officers, and emergency services personnel, using multiple forms of communication technology to ensure connectivity, including cellular telephone technology, Bluetooth technology, global positioning technology, general packet radio service technology, and wireless computer networking technology.

(b) Each school district and open-enrollment charter school shall develop and implement at each campus of the district or school a bleeding control station program that:

(1) ensures that bleeding control stations, as described by Subsection (e), are stored in easily accessible areas of the campus that are selected by the district's school safety and

security committee or the charter school's governing body;

(2) includes the use of bleeding control stations in:

(A) any security planning measure or protocol adopted by a district, including a district's multihazard emergency operations plan under Section 37.108(a); or

(B) any security planning measure or protocol adopted by a charter school's governing body;

(3) requires that agency-approved training on the use of a bleeding control station in the event of an injury to another person be provided to:

(A) each school district peace officer commissioned under Section 37.081 or school security personnel employed under that section who provides security services at the campus;

(B) each school resource officer who provides law enforcement at the campus; and

(C) all other district or school personnel who may be reasonably expected to use a bleeding control station; and

(4) subject to Subsection (c), requires each student enrolled in grade seven or higher at the campus to annually receive instruction on the use of a bleeding control station from a school resource officer or other appropriate district or school personnel who has received the training under Subdivision (3).

(c) A student is not required to receive the instruction under Subsection (b)(4) if:

(1) the student has a disability that makes participating in the instruction impractical; or

1 (2) the student's parent or guardian does not consent
2 to the student receiving the instruction.

3 (d) The commissioner shall adopt guidelines to ensure that:

4 (1) school districts and open-enrollment charter
5 schools provide notice to a parent of each child enrolled at a
6 district or school campus regarding the instruction required under
7 Subsection (b)(4); and

8 (2) parents are provided the opportunity to remove the
9 parent's child from the instruction.

10 (e) A bleeding control station required under this section
11 must contain a first aid response kit that includes:

- 12 (1) two permanent markers;
13 (2) five pairs of latex-free gloves;
14 (3) five tourniquets that include a locking mechanism,
15 such as a SAM XT tourniquet;
16 (4) 10 chest seals;
17 (5) two compression bandages;
18 (6) two pairs of trauma shears;
19 (7) two hemostatic-impregnated gauze dressings;
20 (8) five space emergency blankets;
21 (9) five patient care cards;
22 (10) one hard-shell case; and
23 (11) one emergency alerting device.

24 (f) In addition to the items listed under Subsection (e), a
25 school district or open-enrollment charter school may also include
26 in a bleeding control station any medical material or equipment
27 that:

1 (1) may be readily stored in a bleeding control
2 station;

3 (2) may be used to adequately treat an injury
4 involving traumatic blood loss; and

5 (3) is approved by local law enforcement or emergency
6 medical services personnel.

7 (g) A school district or open-enrollment charter school
8 shall conduct an annual inspection of the medical material and
9 equipment in each bleeding control station stored on a campus of the
10 district or school and replace any expired material or equipment as
11 necessary.

12 (h) A school district or open-enrollment charter school
13 must restock a bleeding control station as soon as practicable
14 after a use of the station to ensure the station contains all
15 required material and equipment.

16 (i) To satisfy the training requirement of Subsection
17 (b)(3), the agency may approve a course of instruction that has been
18 developed or endorsed by:

19 (1) the American College of Surgeons or a similar
20 organization; or

21 (2) the emergency medicine department of a
22 health-related institution of higher education or a hospital.

23 (j) The course of instruction for training described under
24 Subsection (i) may not be provided as an online course. The course
25 of instruction must use nationally recognized, evidence-based
26 guidelines for bleeding control and must incorporate instruction on
27 the psychomotor skills necessary to use a bleeding control station

1 in the event of an injury to another person. The course of
2 instruction may be provided by an instructor who is properly
3 qualified to provide the instruction described under Subsection
4 (i), which may include emergency medical technicians, paramedics,
5 law enforcement officers, firefighters, representatives of the
6 organization or institution that developed or endorsed the
7 training, educators, or other public school employees. A course of
8 instruction described by Subsection (i) is not required to provide
9 for certification in bleeding control. If the course of
10 instruction does provide for certification in bleeding control, the
11 instructor must be authorized to provide the instruction for the
12 purpose of certification by the organization or institution that
13 developed or endorsed the course of instruction.

14 (k) A school district or open-enrollment charter school and
15 the employees of the district or school are immune from civil
16 liability from damages or injuries resulting from the good faith
17 use of a bleeding control station by an employee of the district or
18 school to control the bleeding of an injured person, provided that
19 the employee did not act with gross negligence in the use of the
20 bleeding control station.

21 SECTION 2. (a) Not later than October 1, 2019, the Texas
22 Education Agency shall approve training in the use of a bleeding
23 control station that is appropriate to satisfy the training
24 required by Section 38.029, Education Code, as added by this Act.

25 (b) As soon as practicable after the effective date of this
26 Act, and not later than January 1, 2020, each school district and
27 open-enrollment charter school shall develop and implement the

1 bleeding control station program required by Section 38.029,
2 Education Code, as added by this Act.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2019.